

1 Q -- the fourth one down, "Faith Seminar of the Air,"
2 now, that's a, that's a program itself, right?

3 A Yes.

4 Q And "Faith Seminar of the Air" pays KOKS a certain
5 amount of money in order to air the program?

6 A They --

7 MR. DUNNE: Objection, Your Honor, the testimony was --

8 JUDGE STIRMER: What's that?

9 MR. DUNNE: -- pays --

10 JUDGE STIRMER: Pardon?

11 MR. DUNNE: -- if they make a contribution.

12 THE WITNESS: Yes. It's a donation.

13 BY MR. SHOOK:

14 Q It's a donation?

15 A Yes, sir, I'm sorry --

16 JUDGE STIRMER: Is there any fixed amount of donation
17 that's paid for a half-hour program for example?

18 THE WITNESS: Yes, there -- for a half an hour program
19 -- \$25 donation.

20 JUDGE STIRMER: And for an hour program what kind of a
21 donation do they --

22 THE WITNESS: They would send us a \$50 donation.

23 JUDGE STIRMER: And that's fairly regular?

24 THE WITNESS: It -- I'm sorry --

25 JUDGE STIRMER: And that's what generally is donated

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 for each half-hour or hour program?

2 THE WITNESS: Yes, sir.

3 BY MR. SHOOK:

4 Q All right. Referring to the next page: one, two,
5 three, four, five, sixth up from the bottom.

6 A Six from the bottom?

7 Q Right.

8 A Yes.

9 Q Dell and Dell Insurance.

10 A Yes; they sponsor a portion of "Focus on the Family."

11 Q Okay.

12 A Dell and Dell is, is the donor.

13 Q In describing Mr. Meador's visit, there was an
14 electrical -- how did this electrical cord work? You -- there
15 was something about an electrical cord that was running -- was
16 it from the tower to the house?

17 A Yes; it was -- one of those heavy-duty outside cords.
18 We didn't have electricity into the transmitter building at
19 that time.

20 Q Okay. Has anything changed in that situation, you
21 know, subsequent to the incident that you described in terms
22 of the electrical power, where, where it's coming from?

23 A You -- are you talking about now and then?

24 Q Right.

25 A Yes, the, the power is all coming into the transmitter

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 building now -- electrical power is all coming in -- building
2 now.

3 Q All right. Does the transmitter building have its own
4 power supply as opposed to the power supply that goes to the
5 house?

6 A Yes.

7 Q Now, the electrical bills that Calvary itself pays,
8 what do those -- in your -- to your understanding, what do
9 those bills encompass?

10 A The transmitter house -- the, the, the meter out at the
11 transmitter.

12 Q All right. The studio has got a separate electrical
13 bill and a -- separate electric power supply?

14 A Yes.

15 Q And the house has a separate bill and a separate power
16 supply?

17 A Yes.

18 Q Do you recall that documents were submitted to the
19 Bureau pursuant to a document request and that some of those
20 documents included KOKS electric bills?

21 A Yes.

22 Q Were those electric bills meant to be solely for the
23 electrical power supply to the transmitter?

24 A Yes.

25 MR. SHOOK: Your Honor, if you would indulge me for a

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 moment?

2 JUDGE STIRMER: Very well. Your Honor, we could go off
3 the record while I --

4 JUDGE STIRMER: All right. Off the record.

5 (Whereupon, off the record.)

6 (Whereupon, on the record.)

7 MR. SHOOK: All right. Your Honor, I've distributed to
8 yourself, the witness and, counsel for Calvary and the court
9 reporter copies of what appear to be electrical bills for
10 KOKS.

11 BY MR. SHOOK:

12 Q Mrs. Stewart, do you recognize those documents?

13 A Yes, sir.

14 Q And could you tell us for the record what they
15 represent?

16 A They represent the electrical bill for the transmitter
17 site.

18 Q For the transmitter site?

19 A For the transmitter site.

20 MR. SHOOK: Do, do you mind if I approach the witness?

21 JUDGE STIRMER: No, help yourself.

22 BY MR. SHOOK:

23 Q Now, Mrs. Stewart, I would direct your attention to the
24 third page, and I would point out -- just, just look for
25 yourself what the --

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

- 1 A Yeah.
- 2 Q -- usage is for February 1, 1989. Do you see that?
- 3 A Yes.
- 4 Q Okay, and do you notice the, do you notice the
5 difference between the February 1, 1989 bill and the
6 January 1, 1989 bill?
- 7 A Yes.
- 8 Q Or the kilowatt usage, I should say?
- 9 A Yes.
- 10 Q The kilowatt usage for January 1, the bill, was
11 \$19,000.
- 12 A Okay. Now, this would be for -- you're paying your
13 January -- you pay your January bill in February so you pay
14 after you used it.
- 15 Q Okay. So, in other words, the, the February bill
16 represents roughly the -- usage in January?
- 17 A Yes.
- 18 Q All right. All right. Do you notice the differences
19 between the usage that appears for -- on the January bill,
20 the, the February bill and the March bill of 1989?
- 21 A Yes.
- 22 Q That it fluctuated from \$19,000 to \$30,000 and then
23 back to \$15,000?
- 24 A Yes.
- 25 Q At present, do you have any explanation as to why that

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 might be the case?

2 A Yes. I called the -- and see, they read this meter, we
3 do not read this meter. We read our meter at the house and
4 read it on the same day and they said they sent out their
5 people with the books either the 24th or the 25th day of the
6 month if it's not a holiday or if it's not a weekend. So they
7 told me that it could fluctuate five days either way from the
8 time the meter is read, and I, I said are you saying we could
9 even get a 10-day period there sometimes, and they said yes;
10 just depends how that day falls if it's on a weekend or if
11 it's a holiday.

12 Q Now, did the bills themselves to your knowledge reflect
13 when the meter was read?

14 A He said they always put first day of the month on it.

15 Q Oh, regardless of when the meter --

16 A Regardless of when the meter is read.

17 Q All right.

18 A That's done for bookkeeping purposes.

19 Q Okay. Now, do you recall what transpired during the
20 month of February of 1989 in terms of what KOKS was doing with
21 respect to placement of filters on people's television sets?

22 A I don't know. I, I think I made some visits to some
23 homes.

24 Q February was a pretty heavy month for making visits,
25 wasn't it?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A I haven't counted it up. I don't know for sure.

2 Q Well, I mean to your recollection?

3 A I went to several that month, yes, sir. See, this
4 would not be February's bill; that would be January's bill.

5 Q Right, and what you're pointing to is the \$30,000?

6 A Um-hum, that would be January's bill.

7 Q That would be for the usage in January?

8 A Okay, yes.

9 Q While the bill that shows for March or the usage that
10 shows for March would be what was used in February?

11 A Um-hum.

12 Q Which is about one-half of apparently what was used in
13 January?

14 A Yes, I said I -- that it could vary as much as 10 days
15 from the time they read the meter and that can make a great
16 difference --

17 Q All right.

18 A -- in the -- of kilowatts used.

19 Q Now, I'd, I'd like to direct your attention to the
20 months of December 1990, January 1991 --

21 A Um-hum.

22 Q -- and February of 1991.

23 A Um-hum.

24 MR. DUNNE: Your Honor, at this point I'd like to get a
25 proffer from Mr. Shook as to what relevance -- what connection

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 | this has to Mrs. Stewart's rebuttal testimony.

2 | MR. SHOOK: Your Honor, the, the matter of electric,
3 | electrical connections was brought up and there had -- there
4 | are also --

5 | MR. DUNNE: Well, it was brought up in a very limited
6 | context, Your Honor. I mean, there was an electrical
7 | connection that come into the house -- the transmitter -- turn
8 | on some lights.

9 | MR. SHOOK: And there was also --

10 | JUDGE STIRMER: Overruled, overruled. Go ahead.
11 | Continue.

12 | BY MR. SHOOK:

13 | Q Now, Mrs. Stewart, you do see that there are
14 | differences between what's reflected for December of 1990,
15 | January 1991 and February of 1991?

16 | A Are you going by the dates over here or are you going
17 | by the --

18 | Q I'm, I'm --

19 | A -- dates --

20 | Q -- just going by the dates.

21 | A Okay. You're going by the dates.

22 | Q Yes, ma'am.

23 | A Yes, yes.

24 | Q All right, and what explanation do you have for the
25 | figure that appears in February as opposed to the figure that

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 appears in January?

2 A I, I -- we, we -- every time it's high we call --
3 because like I said, we work on a budget and when month you
4 have a high electric bill and the next month you have a low
5 one, it just breaks your budget all to pieces. And they just
6 said, well, that's -- could be varied to the day we read it.
7 And through the holidays, said we could have got --

8 Q Now, with respect to Mr. Meador's visits to your home,
9 do you have a distinct recollection of his having made two
10 visits to your home, correct?

11 A Yes.

12 Q You don't know for a fact, however, whether he could
13 have made a third visit to your home?

14 A Not to my knowledge.

15 Q In other words, if that visit had occurred it would
16 have been when you weren't there and just, just didn't know
17 about it?

18 A I would know if it's -- the satellite was out.

19 Q No, that wasn't, that wasn't my question. Let me, let
20 me try this a different way. When Mr. Meador was at your home
21 for the second visit that you described, he took something
22 away with him?

23 A Yes.

24 Q Do you know when he came back with it?

25 A In about a week or so.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q About a week or so?

2 A Um-hum.

3 Q All right. So, there was, there was a
4 third --

5 A Yes.

6 Q -- there was a third visit in other words?

7 A Yes, sir, he brung the box back -- he brought it back
8 and stored it in there. He didn't go out -- to my knowledge
9 he didn't go out to the satelllite -- he -- because all he had
10 to do was put the box back in -- hook it in on where it was at
11 there.

12 Q All right. Do you have any of the bills or service
13 documents that would reflect when Mr. Meador serviced the
14 satelllite?

15 A No, he was paid in cash.

16 JUDGE STIRMER: When did the station go on the air?

17 THE WITNESS: In October of 1988, Your Honor.

18 JUDGE STIRMER: October of 1988; and did, did you have a
19 position at the station at that time?

20 THE WITNESS: Yes.

21 JUDGE STIRMER: And what was your position?

22 THE WITNESS: I was working as secretary.

23 JUDGE STIRMER: And how many hours a day would you work
24 at the station?

25 THE WITNESS: Usually put in eight at least.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 JUDGE STIRMER: Eight. From when to when?

2 THE WITNESS: From -- I'd, I'd usually go about 7:30 to
3 about 4:30.

4 JUDGE STIRMER: 7:30 to 4:30?

5 THE WITNESS: Yes.

6 JUDGE STIRMER: Five days a week?

7 THE WITNESS: Yes, sir.

8 JUDGE STIRMER: And did that continue into 1989?

9 THE WITNESS: Yes.

10 JUDGE STIRMER: You had a full-time job?

11 THE WITNESS: Yes, sir.

12 JUDGE STIRMER: And you were away from the house for
13 eight hours every day --

14 THE WITNESS: We came into --

15 JUDGE STIRMER: -- during the workday?

16 THE WITNESS: -- I always came in for lunch.

17 JUDGE STIRMER: Always came back for lunch --

18 THE WITNESS: Yes.

19 JUDGE STIRMER: -- and spent a half hour or an hour for
20 lunch and then returned to the station?

21 THE WITNESS: Yes.

22 JUDGE STIRMER: So, if somebody came out to the home to
23 work on the satellite during February, March or April while
24 you working at the station you wouldn't necessarily have know
25 about, would you?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 THE WITNESS: I would have known if there it had been
2 anything wrong with the satellite. We got a teenage son.

3 JUDGE STIRMER: But you wouldn't, you wouldn't have
4 known whether anybody was out there that day working there,
5 would you?

6 THE WITNESS: Yes, I would have know, sir, because we
7 would --

8 JUDGE STIRMER: The only way you would have know if
9 somebody told you, isn't that right?

10 THE WITNESS: Yes.

11 JUDGE STIRMER: And if no one told you wouldn't have
12 known?

13 THE WITNESS: Not -- what I'm trying to say, Your
14 Honor, is that the only reason he would have been on the place
15 was to work on the satellite.

16 JUDGE STIRMER: Now, let me ask you some-thing --

17 THE WITNESS: Yes.

18 JUDGE STIRMER: -- you were here when Mr. Meador
19 testified that he went out to your house and went into the
20 transmitter building.

21 THE WITNESS: Yes, sir.

22 JUDGE STIRMER: Are you telling me he was telling an
23 absolute lie?

24 THE WITNESS: I don't know how to classify it, sir.

25 JUDGE STIRMER: Well, what, what explanation do you

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 have for his testimony?

2 THE WITNESS: I don't have an explanation, I sure
3 don't.

4 JUDGE STIRMER: But you weren't at your home during the
5 period of March, April, you were working at the radio station.
6 Isn't that right?

7 THE WITNESS: That's, that's right.

8 JUDGE STIRMER: All right. Let's continue.

9 MR. SHOOK: Your Honor, I have no further questions of
10 this witness. At this time, I would ask that the documents
11 that I have given yourself, the court reporter and counsel be
12 marked for identification as Mass-Media Exhibit No. --

13 MR. DUNNE: Thirty-three.

14 MR. SHOOK: -- is it 33? And that they be received
15 into evidence.

16 JUDGE STIRMER: How many pages is this?

17 MR. SHOOK: Fifteen pages, Your Honor.

18 JUDGE STIRMER: All right. The document described by
19 counsel will be marked as Mass-Medial Bureau Exhibit No. 33.

20 (Whereupon, the document referred to as
21 Mass-Media Bureau Ex. No. 33 was marked
22 for identification.)

23 MR. SHOOK: And that these documents be received into
24 evidence.

25 JUDGE STIRMER: Any objections?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 MR. DUNNE: Your Honor, I'm going to have to object.
2 We've left out some relevant documents concerning FM
3 blanketing interference because we didn't want to burden the
4 record. I don't see what these add to the record or explain -
5 - illuminate in any way any relevant issue.

6 JUDGE STIRMER: What is the purpose of this offer?

7 MR. SHOOK: Your Honor, there is testimony in the
8 record to the effect that the power that was applied to the
9 KOKS transmitter was adjusted periodically and that these are
10 reflective of, of those adjustments because these electric
11 bills relate solely to the transmitter.

12 JUDGE STIRMER: I'll overrule the objection. I'll let
13 you argue the significance of it.

14 (Whereupon, the document referred to as
15 Mass-Media Bureau Ex. No. 33 introduced
16 into evidence.)

17 MR. DUNNE: I just have one, one question on redirect,
18 Your Honor --

19 JUDGE STIRMER: Very well.

20 MR. DUNNE: -- Mrs. Stewart's testimony.

21 REDIRECT EXAMINATION

22 BY MR. DUNNE:

23 Q Mrs. Stewart, as the Judge properly pointed out that
24 you were not at, at home during the, the relevant time that,
25 that Mr. Meador supposedly came to the house. Is that

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 correct?

2 A That's right.

3 Q And so therefore you don't know if -- you don't have no
4 personal knowledge if he was there. Is that correct?

5 A That's right.

6 Q But you would have a personal knowledge -- he testified
7 that he came to fix your satellite system. Is that correct?

8 A Yes.

9 Q And he, he came to fix it for a specific purpose
10 because of an overload or some sort of -- that the satellite
11 was out. Is that correct?

12 A Yes.

13 Q And you would have a personal knowledge if your
14 satellite was out. Is that correct?

15 A That's correct.

16 Q You came home every night and turned on the TV --

17 A Yes.

18 Q -- presumably and watched TV?

19 A Yes.

20 Q And therefore, if the satellite were, were broken in
21 the way that Mr. Meador described, you would have had
22 personal knowledge of at least that fact?

23 A That's right.

24 MR. DUNNE: Okay. Thank you, Your Honor.

25 JUDGE STIRMER: Well, following-up on counsel's

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 statement, the satellite could have broken, your husband could
2 have called Mr. Meador, he could have come out and fixed it
3 that very day and you would not have even known that there had
4 been any disruption to the satellite service.

5 THE WITNESS: He --

6 JUDGE STIRMER: Isn't that right?

7 THE WITNESS: -- my husband would have told me, sir.

8 JUDGE STIRMER: Your husband have told you; but if he
9 didn't tell you you wouldn't have known?

10 THE WITNESS: Mr. Meador also said that we had a son
11 there. In, in February and March our son had been in school.
12 He was a school-age boy, he would have been in school. He
13 would not have been home.

14 JUDGE STIRMER: And he never missed a day of school?

15 THE WITNESS: Very, very seldom, sir, very seldom.

16 JUDGE STIRMER: But there were occasions when he would
17 miss a day of school?

18 THE WITNESS: Like I said, very seldom.

19 JUDGE STIRMER: All right. Do you have anything
20 further?

21 MR. SHOOK: Nothing further, Your Honor.

22 JUDGE STIRMER: All right. May the witness be excused?

23 MR. DUNNE: Yes, sir.

24 JUDGE STIRMER: All right. Thank you very much, Mrs.
25 Stewart, you're excused. Would you call your next --

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 MR. DUNNE: Yes.

2 JUDGE STIRMER: -- rebuttal witness?

3 MR. DUNNE: Yes, Your Honor. Your Honor, I believe Mr.
4 Stewart also needs to be resworn.

5 JUDGE STIRMER: Yes. Mr. Stewart, would you please
6 raise your right hand and let me reswear you? And would you
7 identify the witness, please? I don't know whether the record
8 reflects that it's Mr. Don Stewart that's being recalled in
9 rebuttal?

10 MR. DUNNE: Yes. Thank you, Your Honor. I'd like the
11 record to reflect Mr. Stewart -- I'd like the record to
12 reflect that Mr. Don Stewart, the President of Calvary
13 Educational Broadcasting, has been recalled for rebuttal
14 testimony.

15 JUDGE STIRMER: Very well.
16 Whereupon,

17 DON STEWART
18 having first been duly sworn, was recalled as a witness herein
19 and was examined and testified as follows:

20 DIRECT EXAMINATION

21 BY MR. DUNNE:

22 Q Mr. Stewart, there's been testimony in this proceeding
23 that Mr. Craig Meador came to your, your house to fix your
24 satellite system. Did he -- could you describe the time that
25 you recall he came, came to your house?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A We had had --

2 Q Please answer the question --

3 A Yes, yes, yes.

4 Q -- Mr. Stewart. Let me ask a preliminary question.

5 Mr. Stewart, how are you feeling this morning?

6 A I have felt better.

7 Q Are you able to testify accurately to the -- to your

8 knowledge -- your testimony --

9 A To my knowledge, I --

10 Q Have you taken -- your blood pressure medication?

11 A Yes.

12 Q And you're feeling reasonably well?

13 A Yes.

14 Q And you feel you're able to testify in this proceeding?

15 A Yes.

16 Q Okay. Once again, Mr. Stewart, I'd like to caution

17 you --

18 A Yeah.

19 Q -- that you have to answer the questions I ask, all

20 right?

21 A Yes.

22 Q Okay. I interrupted you. There's been -- can you

23 describe the time -- the first time that you recall Mr. Craig

24 Meador came to your -- came to the house to fix the satellite

25 system?

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 A I don't recall when he first -- no, sir.

2 Q The question -- okay, you don't recall when?

3 A The first time he came.

4 Q Okay. How many times did he come to your house to your
5 best of your recollection?

6 A Approximately three --

7 Q Okay.

8 A -- in that neighborhood.

9 Q When was the last time he came to your house?

10 A When we had the lightening strike.

11 Q Okay, and when was the lightening strike?

12 A In the summer of '88.

13 Q And you're sure of that fact?

14 A Yes.

15 Q How are you sure of that fact?

16 A It was a very severe lightening strike. It had -- it
17 -- we were running the electric on a extension cord out of the
18 house.

19 Q Running the electric for what, Mr. Stewart?

20 A The lights on the tower. It was mandatory that we have
21 lights on the tower at all times.

22 Q Okay.

23 A And the lightening struck the tower and came down this
24 cord and, and blew it -- blew it out of the receptacle and
25 melted it. The receptacle, the end of the cord and the whole

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 thing had to be replaced. It also melted the timer that turns
2 the lights off and on, it blew it off of the tower. And it
3 also got -- at the same time it struck the, the satellite.

4 Q Okay. Did it do any damage to the satellite?

5 A Yes, it, it had electric strike.

6 Q Okay, and did occasion -- did you call Mr. Meador?

7 A Yes.

8 Q And Mr. Meador came to the house?

9 A Yes.

10 Q What did he do, if you recall?

11 A He took the box off and took it --

12 Q Would you say he took the box off --

13 A He took the box out of the house --

14 Q Okay.

15 A -- that is the control box and carried it to have it
16 repaired and then brought it back.

17 Q Okay. Did he make any repairs to the satellite
18 system?

19 A Only checked it.

20 Q There were no repairs to the satellite system, system?

21 A No repairs to the satellite, just only to the box.

22 Q Okay, and then he came back subsequently?

23 A He came -- sir?

24 Q He came back later you said --

25 A Came back and replaced it.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q He replaced what?

2 A The box that he --

3 Q Where did he put the box?

4 A In the house.

5 Q Did he come back out to the satellite -- were you there

6 when he came back and replaced the box?

7 A Yes.

8 Q Were you there when he came and worked on the satellite

9 system the first time you referred to?

10 A Yes.

11 Q Was anyone else there the first time he came to the --

12 A Not that I recall.

13 Q Mrs. Stewart was not there?

14 A Possibly was.

15 Q But you don't recall?

16 A No -- I -- no.

17 Q You don't recall?

18 A I don't recall.

19 Q And he came back you say roughly a week later, was that

20 your testimony, with the box?

21 A Yes, in that --

22 Q Okay, and he put the box in the house?

23 A In the house.

24 Q Did he go out to the satellite system?

25 A Yes.

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 Q The second time he came out did he go out to the
2 satellite system?

3 A He went out, yes.

4 Q So, he went out to the satellite system both times he
5 came to the house?

6 A He went and checked the wiring.

7 Q Okay, and that was both times?

8 A Yes.

9 Q And this was in September -- late summer of September
10 of --

11 A It was in August -- the first of August. It was in --
12 we had had the strike I believe in possibly June or July.

13 Q Okay. Was KOKS on the air at the time?

14 A No, sir.

15 Q Was there equipment in the transmitter building?

16 A I would say so, yes.

17 Q Was the -- to the best of your -- do you remember if
18 the transmitter was in the transmitter building when Mr.
19 Meador was there?

20 A Yes.

21 Q Did Mr. Meador -- following the second visit to your
22 house in August of 1988, has Mr. Meador ever returned to your
23 house to service --

24 A Not -- not that I -- not that I know of.

25 Q When Mr. Meador was at, at the -- working on the

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 satellite system the first time he came to your home in August
2 of 1988, did you invite him into the transmitter building?

3 A Not to my knowledge, no, sir.

4 Q Well, the -- do you remember?

5 A No, sir.

6 Q You don't remember if you invited him in
7 the --

8 A I don't remember, no.

9 Q You don't remember if you invited him in the
10 transmitter building?

11 A I don't remember -- I don't remember inviting him into
12 the transmitter house.

13 Q Well, the, the question is -- I think the record is, is
14 unclear on this point. You don't remember at all or you don't
15 remember you inviting him to the transmitter --

16 A I don't remember inviting him into --

17 Q Do you know if he was in the transmitter building?

18 A Sir?

19 Q Do you know if he was in the transmitter building?

20 A I don't know. I don't remember.

21 Q Okay.

22 A It was unlocked.

23 Q Okay. So, he might have gone in when you didn't know?

24 A Perhap.

25 Q But you were not in the transmitter building with him

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 that you recall?

2 A Not that I recall.

3 Q Okay. So, if there were any testimony that you turned
4 power up or down while he was in the transmitter building with
5 you, that wouldn't reflect your recollection would it?

6 A No, sir.

7 Q So, to the best of your recollection you were never in
8 the transmitter building with Mr. Meador?

9 A That is correct.

10 Q Now, that was the first time; he came -- you testified
11 he came back a week later and put a box in the house --

12 A Yes.

13 Q -- is that correct? And he also came out and checked
14 the wiring of the satellite?

15 A Yes.

16 Q The second --

17 JUDGE STIRMER: Mr. Dunne, please, let the witness
18 testify. You're leading this witness a great deal and we're
19 in an area where I'd prefer that you not lead him.

20 MR. DUNNE: Okay.

21 BY MR. DUNNE:

22 Q When Mr. Meador came to the house the second time, did
23 you invite him into the transmitter building?

24 A No, sir.

25 Q When you -- to your -- was he in the transmitter

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947

1 building with you the second time he was there?

2 A I can't -- I do not know.

3 Q Was he in the transmitter building with you the second
4 time he was there?

5 A No.

6 MR. DUNNE: I have no further questions of this
7 witness, Your Honor.

8 JUDGE STIRMER: Cross-examination?

9 CROSS-EXAMINATION

10 BY MR. SHOOK:

11 Q Mr. Stewart, would it be your testimony that Mr. Meador
12 has never been in the KOKS transmitter building with you?

13 A To my knowledge, he -- no.

14 Q No, I'm not asking now whether you ever invited him or
15 whether he may have wandered in by himself, I'm asking whether
16 you and Mr. Meador have ever been in the KOKS transmitter
17 building together.

18 A Yes, yes, he has.

19 Q All right. Now, when has he been in the transmitter
20 building with you?

21 A I -- strike that answer; no, he has not been in there
22 with me.

23 JUDGE STIRMER: Well, why did you answer previously
24 that he had been in there with you?

25 THE WITNESS: Sir --

FREE STATE REPORTING, INC.

Court Reporting Depositions
D.C. Area 261-1902
Balt. & Annap. 974-0947